

Atty Code #70385

**IN THE CIRCUIT COURT OF COOK COUNTY
COUNTY DEPARTMENT, LAW DIVISION**

JACOB HOULE

Plaintiff,

VS.

JOSEPH NEVERAUSKAS, an individual, CHICAGO AQUALEISURE, LLC, an Illinois limited liability company; and THERESA TRAN, Defendants.

"EXHIBIT A" CLAIM

COMPLAINT AT LAW

Now comes the plaintiff, JACOB HOULE, by his attorneys, ARMSTRONG LAW GROUP, and complaining against the defendants, JOSEPH NEVERAUSKAS, an individual, CHICAGO AQUALEISURE, LLC, an Illinois limited liability company ("Aqualeisure"); and THERESA TRAN, an individual, and states as follows:

1. That the individual defendants are residents of the City of Chicago, County of Cook, State of Illinois; the limited liability company defendant Chicago Aqualeisure, LLC is organized under the laws of the state of Illinois and registered as a corporate resident and doing business in the City of Chicago, Cook County, Illinois and that the incident referred to in this Complaint occurred on August 13, 2022, in a protected anchorage, commonly known as “the playpen” in Lake Michigan, off of the City of Chicago, Illinois.
2. That on or about August 13, 2022 at 5:17 pm, the defendant Theresa Tran owned a vessel known as *La Aqua Vida* and also owned and controlled Aqualeisure, the limited liability company she organized and was actively operated to conduct the activities and operations of the vessel *La Aqua Vida*.

3. That on the aforesaid date, the vessel *La Aqua Vida* was captained and operated on Lake Michigan by defendant Joseph Neverauskas, with the permission of defendants owner Theresa Tran and Aqualeisure and who was in the course and scope of his duties and acting as an agent of defendants Theresa Tran, and Aqualeisure.
4. That on the aforesaid date your plaintiff Jacob Houle was on the rear swim platform of the vessel known as “*Giddy Up*” that was anchored in a line of boats south of the vessel *La Aqua Vida*.
5. That on the aforesaid date there was a vessel named “*Navigator*” that was anchored in between the vessel and the *Giddy Up* vessel *La Aqua Vida*.
6. That at the aforesaid date and time, the defendants, through the actions of defendant and boat captain Joseph Neverauskas, carelessly and negligently operated the vessel *La Aqua Vida* in one or more of the following ways:
 - a.) Put the *La Aqua Vida* vessel in high throttle reverse without proper lookout and without avoiding other vessels anchored in the area;
 - b.) Failed to maintain the vessel, its anchor and/or mechanical systems in a safe condition;
 - c.) Failed to adequately supervise or train the operators of the vessel; and
 - d.) Otherwise failed to operate the vessel in accordance with city, state and other codes that require operator of vessels to safely navigate and proceed on the waterways without endangering other persons or vessels on said waterways.
7. That as a result of the aforesaid negligent actions and/or omissions by defendants, the vessel *La Aqua Vida* violently struck the rear of the vessel *Navigator* causing it to be propelled southward toward the rear of the anchored vessel *Giddy Up* and said vessel *Navigator* struck and the rear of the vessel *Giddy Up*.

8. That as a direct and proximate result of the defendants' negligent actions and/or omissions and said collision of the vessels *Navigator* and *Giddy Up*, your plaintiff was struck and pressed against the forward pulpit and ball roller of the anchor windlass of the *Navigator*, in particular his arm was pressed in a backward motion and trapped against the ball roller before said vessel was released, pushed and moved backward from the *Giddy Up*, and your plaintiff suffered external and internal, injuries including severe lacerations to his right arm requiring immediate medical attention and stitches, and your plaintiff has suffered great pain and suffering, permanent scarring and disfigurement, and other injuries, and has incurred medical expenses for said care.

WHEREFORE, your plaintiff, Jacob Houle, demands judgment against the Defendants, JOSEPH NEVERAUSKAS, an individual, CHICAGO AQUALEISURE, LLC, an Illinois limited liability company; and THERESA TRAN, an individual, in a sum greater than \$30,000.00, together with his court costs.

Respectfully submitted,

Jacob Houle - Plaintiff

By: _____
one of his attorneys

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